



Order Filed on April 28, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

MELLINGER KARTZMAN LLC

101 Gibraltar Drive, Suite 2F

Morris Plains, New Jersey 07950

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Attorneys for Steven P. Kartzman, Chapter 7 Trustee

In re:

**JAMES X. REZABALA and ERIKA
M. PENACHI,**

Debtors.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Case No. 19-25396-VFP

Chapter 7

Honorable Vincent F. Papalia

**ORDER REQUIRING CO-OWNER TO VACATE
PROPERTY AND FOR ENFORCEMENT OF THE COURT'S ORDER
DIRECTING CO-OWNER TO VACATE PURSUANT TO 11 U.S.C. § 105**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby
ORDERED.

DATED: April 28, 2021



Honorable Vincent F. Papalia
United States Bankruptcy Judge

Debtor: James X. Rezabala and Erika M. Penachi
Case No.: 19-25396-VFP
Caption: Order Requiring Co-Owner to Vacate Property and Granting Related Relief

THIS MATTER having been brought before the Court on the application of Steven P. Kartzman, the Chapter 7 Trustee (the “Trustee”), by and through his attorneys Mellinger Kartzman LLC, for entry of an order requiring the Co-Owner, Geraldina Obando (the “Co-Owner”), to vacate the property located at 3365 Kennedy Boulevard, Jersey City, New Jersey (the “Property”), and for related relief; and it appearing that notice of the application has been duly served; and the Court having considered opposition to the application and the arguments of counsel, if any, and good cause having been shown, it is hereby:

ORDERED AS FOLLOWS:

1. The Co-Owner Geraldina Obando and anyone in possession under her, shall be and hereby are ordered to permanently vacate 3365 Kennedy Boulevard, Jersey City, New Jersey within ten (10) days of entry of this Order, and to remove all of their personal property within said time period.
2. The Trustee is authorized under the supervision and with the assistance of the U.S. Marshals Service to take all necessary steps to take possession of 3365 Kennedy Boulevard, Jersey City, New Jersey, including breaking open and entering said premises and removing all persons located within said premises, as of the 11th day following entry of this Order.
3. Anyone interfering with the execution of this Order is subject to arrest by the United States Marshals Service and/or his or her representative.
4. The Trustee may sell or dispose of all personal property not removed by the Co-Owner and remaining in the Property as of the date the Trustee obtains possession of the Property, on notice to Ms. Obando as provided herein.

Debtor: James X. Rezabala and Erika M. Penachi
Case No.: 19-25396-VFP
Caption: Order Requiring Co-Owner to Vacate Property and Granting Related Relief

5. The Trustee will account completely for all personal property seized, if any, pursuant to this Order and, shall compile a written inventory of all such property and shall provide a copy to the U.S. Marshal and Ms. Obando, who shall include such a copy with his return to the Court.

6. The Trustee will act as substitute custodian of any and all personal property seized pursuant to this Order and shall hold harmless the U.S. Marshals Service and its employees from any and all claims, asserted in any court or tribunal, arising from any acts, incidents, or occurrences in connection with the seizure and possession of any of the Co-Owner's personal property, including any third-party claims.

7. A copy of this Order shall be served on all parties who are affected by this action within two (2) business days of the date hereof, provided that Ms. Obando shall be served at the addresses and in the manners set forth in this Court's March 25, 2021 Order [Dkt. no. 37].

In re:
James X. Rezabala
Erika M. Penachi
Debtors

Case No. 19-25396-VFP
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Apr 29, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 01, 2021:

Recip ID	Recipient Name and Address
db	#+ James X. Rezabala, 3365 Kennedy Blvd., Jersey City, NJ 07307-4208
jdb	+ Erika M. Penachi, 453 Tomas Ave., Apt. 2, Lyndhurst, NJ 07071-3117

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 01, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 29, 2021 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor BANK OF AMERICA N.A. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Joseph R Zapata, Jr	on behalf of Plaintiff Steven P. Kartzman jzapata@msbnj.com
Kevin Gordon McDonald	on behalf of Creditor BANK OF AMERICA N.A. kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com
Steven A. Jayson	on behalf of Trustee Steven P. Kartzman sjayson@msklaw.net jloewenstein@msklaw.net; donnaz@msklaw.net

District/off: 0312-2

User: admin

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Date Rcvd: Apr 29, 2021

Form ID: pdf903

Total Noticed: 2

Steven P. Kartzman

kartztee@optonline.net
jzapata@msklaw.net;nj16@ecfcbis.com;jloewenstein@msklaw.net;denisew@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;dkhan@msklaw.net

Steven P. Kartzman

on behalf of Trustee Steven P. Kartzman kartztee@optonline.net
jzapata@msklaw.net;nj16@ecfcbis.com;jloewenstein@msklaw.net;denisew@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;dkhan@msklaw.net

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William P. Bonomo

on behalf of Debtor James X. Rezabala nyattybill@aol.com
bonomolawecf@gmail.com;claudia@garanticesufuturo.com;lediazlaw@gmail.com;bonomowr58406@notify.bestcase.com

William P. Bonomo

on behalf of Joint Debtor Erika M. Penachi nyattybill@aol.com
bonomolawecf@gmail.com;claudia@garanticesufuturo.com;lediazlaw@gmail.com;bonomowr58406@notify.bestcase.com

TOTAL: 9